

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11	MICHAEL DOC BALZARINI,	1:01-CV-5033 AWI WMW PC
12	Plaintiff,) ORDER DENYING MOTION FOR
13) APPOINTMENT OF COUNSEL
14	v.) ON APPEAL
15	STEVE CAMBRIA, et al.,) (DOCUMENT #112)
16	Defendants.)
17)

18 On April 25, 2007, plaintiff filed a motion seeking the appointment of counsel on appeal.
19 Plaintiff's motion is best directed to the United States Court of Appeals for the Ninth Circuit. However,
20 in light of the fact that plaintiff filed his motion in this court, this court will address it.
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22 The United States Supreme Court has ruled that district courts lack authority to require counsel
23 to represent indigent prisoners in § 1983 cases. Mallard v. United States District Court for the Southern
District of Iowa, 490 U.S. 296, 298, 109 S.Ct. 1814, 1816 (1989). In certain exceptional circumstances,
24 the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Rand v.
Rowland, 113 F.3d 1520, 1525 (9th Cir. 1997). Without a reasonable method of securing and
25 compensating counsel, this court will seek volunteer counsel only in the most serious and exceptional
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1 cases.

2 In the present case, the court does not find the required exceptional circumstances. See id.
3 Therefore, plaintiff's request for the appointment of counsel shall be denied.

4 In accordance with the above, plaintiff's motion for the appointment of counsel on appeal, filed
5 April 25, 2007, is HEREBY DENIED.

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9 IT IS SO ORDERED.

10 Dated: June 1, 2007

11 /s/ William M. Wunderlich
12 UNITED STATES MAGISTRATE JUDGE

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